

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ALIREZA BAKHTIARI,

Plaintiff,

v.

J. WALTON, UNITED STATES of
AMERICA, M. WINKLMEIER, M.
BAGWELL, D. SZOKE, L. DUNCAN, J.
BAGWELL, and R. STRAUSS,

Defendants.

Case No. 13-cv-906-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on the December 6, 2013, order for plaintiff Alireza Bakhtiari to show cause on or before December 30, 2013, why, to the extent any request for a permanent injunction remains pending in this case, such claim should not be dismissed for failure to exhaust administrative remedies pursuant to 42 U.S.C. § 1997e(a) (Doc. 38). The Court extended Bakhtiari's response deadline to January 25, 2014 (Doc. 40). As of today, the Court has received nothing from Bakhtiari except a motion to compel the defendants to allow him access to the Court by providing him stamps, envelopes, paper and a pen (Doc. 42) and a notice that on January 16, 2014, he mailed objections to a Report and Recommendation (Doc. 43). Neither of these filings addresses whether Bakhtiari has exhausted his administrative remedies with respect to his request for permanent injunctive relief, the only remaining claim in this case.

Bakhtiari having failed to show cause why his claims for permanent injunctive relief should not be dismissed for failure to exhaust administrative remedies pursuant to 42 U.S.C. § 1997e(a), the Court **DISMISSES** those claims **without prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly. The Court **DENIES as moot** Bakhtiari's motion to compel

preservation and production of evidence (Doc. 37) and motion to compel the defendants to allow him access to the Court by providing him stamps, envelopes, paper and a pen (Doc. 42). Should Bakhtiari's January 16, 2014, objections ever arrive at the Court, it will decide at that time how to treat them.

IT IS SO ORDERED.

DATED: February 10, 2014

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE